

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

EDUARDO LEAL,

Plaintiff,

V.

STARWOOD HOTELS & RESORTS
WORLDWIDE, LLC,

Defendant.

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CIVIL ACTION NO. 4:18-cv-3190

JOINT STATUS REPORT & NOTICE OF SETTLEMENT

Pursuant to the Court’s November 8, 2018 Management Order,¹ Eduardo Leal (“Plaintiff”) and Westin Operator, LLC (improperly named as Starwood Hotels & Resorts Worldwide, LLC) (“Defendant”) provides the following status report:

1. On November 8, 2018, the Court ordered Defendant to “give [Plaintiff] information about the elevator’s bumper and sensor.”²
2. Defendant supplied this information to Plaintiff on November 19, 2018, in compliance with the Court’s November 8, 2018 Management Order.
3. The Court’s November 8, 2018 Management Order also required the parties to “jointly report the status of this case and the next steps to advance this litigation [by December 5, 2018].”³
4. The parties settled this case on December 4, 2018, and counsel for the parties are currently reducing the settlement agreement to a formal written contract.

¹ Dkt. No. 14.

² Dkt. No. 14 ¶ 1.

³ Dkt. No. 14 ¶ 2.

5. In light of settlement, there is no need for any further litigation. The parties will submit a Federal Rule of Civil Procedure 41(a)(1)(A)(ii) notice of dismissal as soon as the written settlement agreement is drafted and signed.

6. This status report serves as the parties' Local Rule 16.3 notice of settlement.

Respectfully submitted,

s/ Joseph A. Ziemianski

Joseph A. Ziemianski

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ATTORNEY FOR PLAINTIFF

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a true a correct copy of the above and foregoing instrument has been served upon all known counsel of record by the Court's electronic filing system on this the 5th day of December 2018:

Henry D. Drewinko
Attorney At Law
3617 White Oak Drive
Houston, Texas 77007
Attorney for Plaintiff

s/ Joseph A. Ziemianski
Joseph A. Ziemianski